

REMARKS

Claims 7-10, 13-14, and 16 have been cancelled. Claim 6 has been withdrawn. Claims 1, 11, and 15 have been amended to clarify the subject matter regarded as the invention. New Claims 17-27 have been added. Support for the new claims may be found, without limitation, on pages 20-21 of the Specification. Claims 1-6, 11-2, 15, and 17-27 are pending.

The Examiner has rejected Claims 1, 11, and 15 under 35 U.S.C. §102(e) as being anticipated by Dinwoodie (U.S. Patent No. 7,076,460). The Examiner has rejected Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Dinwoodie, and rejected Claims 3-5 and 12 under 35 U.S.C. §103(a) as being unpatentable over Dinwoodie and further in view of Fisher (U.S. Patent No. 6,243,691).

The rejections are respectfully traversed. As amended, Claim 1 recites “adjusting a bid in the online auction by the bid adjustment value set in the configuration interface in the event that the bid adjustment mechanism is actuated **by the bidder.**” As the Examiner has acknowledged, to the extent that Dinwoodie describes adjusting bids, such adjustments are “made to the asking bid … **by auctioneer 24.**” (7/25/07 Office Action, p. 3), and not by the bidder. As such, Claim 1 is believed to be allowable. Independent Claims 11 and 15 similarly recite actuation of the bid adjustment mechanism by the bidder and are believed to be allowable for the same reasons described above.

Claims 2-5 and new Claims 17-20 depend from Claim 1 and are believed to be allowable for the same reasons described above.

Claims 12 and new Claims 21-25 depend from Claim 11 and are believed to be allowable for the same reasons described above.

New Claims 26-27 depend from Claim 15 and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: 10/24/07



Robyn Wagner
Registration No. 50,575
V 408-973-2596
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014